

Public Law 85-157

AN ACT

August 21, 1957
[H. R. 6517]

To provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Policemen and Firemen's Retirement and Disability Act amendments of 1957".

Policemen and
Firemen's Retirement
and Disability Act amend-
ments of 1957.

SEC. 2. It is the intent of Congress in enacting the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 to give the members coming under such Act benefits substantially similar to benefits given by the Civil Service Retirement Act Amendments of 1956 to officers and employees covered by the Civil Service Retirement Act of May 29, 1930, as amended.

70 Stat. 743.
5 USC 2251 et
seq.

SEC. 3. Section 12 of the Act approved September 1, 1916 (39 Stat. 718), as amended, is amended to read as follows:

D.C. Code 4-113
to 4-597 *passim*;
11-625.

"DEFINITIONS

"SEC. 12. (a) Wherever used in this section—

"(1) The term 'member' means any officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, of the United States Park Police force, of the White House Police force, and any officer or member of the United States Secret Service Division to whom this section shall apply.

"(2) The terms 'disabled' and 'disability' mean disabled for useful and efficient service in the grade or class of position last occupied by the member by reason of disease or injury, not due to vicious habits or intemperance as determined by the Board of Police and Fire Surgeons, or willful misconduct on his part as determined by the Commissioners.

"(3) The term 'widow' means the surviving wife of a member who was married to such individual while he was a member.

"(4) The term 'dependent widower' means the surviving husband of a member who was married to such individual while she was a member, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half his support from such member".

"(5) The term 'child' means an unmarried child, including (a) an adopted child, and (b) a stepchild or recognized natural child who received more than one-half his support from the member in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of eighteen, is incapable of self-support.

"(6) The term 'basic salary' means regular salary established by law or regulation including any differential for special occupational assignment but shall not include overtime, holiday, or military pay.

"(7) The term 'annuitant' means any former member who, on the basis of his service, has met all requirements of this section for title to annuity and has filed claim therefor.

"(8) The term 'survivor' means a person who is entitled to annuity under this section based on the service of a deceased member or of a deceased annuitant.

"(9) The term 'survivor annuitant' means a survivor who has filed claim for annuity.

"(10) The term 'police or fire service' means all honorable service in the Metropolitan Police Department, White House Police force, Fire Department of the District of Columbia, the United States Park Police force, and the United States Secret Service Division coming under the provisions of this Act.

"(11) The term 'military service' means honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

"(12) The term 'Commissioners' means the Commissioners of the District of Columbia or their designated agent or agents.

"(13) The term 'service' means employment which is creditable under subsection (c).

"(14) The term 'Government' means the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia.

"(15) The term 'Government service' means honorable active service in the executive, judicial, or legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia, and for which retirement deductions, other than social security deductions, were made.

"(16) The term 'department' means any part of the executive branch of the United States Government, or any part of the government of the District of Columbia whose members come under this section.

"UNITED STATES SECRET SERVICE DIVISION

"(b) Whenever any member of the United States Secret Service Division has actively performed duties other than clerical for ten years or more directly related to the protection of the President, such member shall be authorized to transfer all funds to his credit in the Civil Service Retirement and Disability Fund created by the Act of May 22, 1920, to the general revenues of the District of Columbia and after the transfer of such funds the salary of such member shall be subject to the same deductions for credit to the general revenues of the District of Columbia as the deductions from salaries of other members under this section, and he shall be entitled to the same benefits as the other members to whom this section applies.

"CREDITABLE SERVICE

"(c) (1) A member's service for the purposes of this section shall mean all police or fire service and such military and Government service as is authorized by this section prior to the date of separation upon which title to annuity is based.

"(2) Each member shall be allowed credit for periods of military service served prior to the date of the separation upon which the annuity is based; however, if a member is awarded retired pay on account of military service, such military service shall not be included, unless such retired pay is awarded on account of a service-connected disability (a) incurred in combat with an enemy of the United States or (b) caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans Regulation numbered 1 (a), part I, paragraph I, or is awarded under title III of Public Law 810, Eightieth Congress. Nothing in this section shall affect the rights of members to retired pay, pension, or compensation in addition to the annuity herein provided.

41 Stat. 614.
5 USC 2267.

38 USC ch. 12A.
62 Stat. 1087.
10 USC 1036-
1036i.

“(3) Credit shall be allowed for leaves of absence granted a member while performing military service, excluding from credit so much of any other leaves of absence without pay as may exceed six months in the aggregate in any calendar year.

“(4) A member who, during any war or national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this section, as separated from his position by reason of such military service, unless he shall apply for and receive his salary deductions: *Provided*, That such member shall not be considered as retaining such position beyond December 31, 1957, or the expiration of five years of such military service, whichever is later.

“(5) Each member shall be allowed credit for government service performed prior to appointment in any of the departments mentioned in paragraph (1), subsection (a) of this section: *Provided*, That such member deposits with the Collector of Taxes of the District of Columbia, for credit to the revenues of the District of Columbia, a sum equal to the entire amount including interest, if any, refunded to him for such period of government service: *Provided further*, That if such member so elects he shall deposit with the Collector of Taxes of the District of Columbia, the total amount of such refund in equal monthly installments not exceeding 24.

“(6) The total service of a member shall be the full years and twelfth parts thereof, excluding from the aggregate any fractional part of a month.

“(7) Notwithstanding any other provision of this subsection, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December 1956 shall be excluded in determining the aggregate period of service upon which an annuity payable under this Act to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the individual or widow such military service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216 (a) of the Social Security Act) he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commissioners shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commissioners, inform the Commissioners whether or not any such individual or widow or child is entitled at any specified time to such benefits.

49 Stat. 623.
42 USC 402.

42 USC 416.

“DEDUCTIONS, DEPOSITS, AND REFUNDS

“(d) (1) From and after the first day of the first pay period which begins on or after October 1, 1956, there shall be deducted and withheld from each member's basic salary an amount equal to 6½ per centum of such basic salary. Such deductions and withholdings shall be paid to the Collector of Taxes of the District of Columbia, and shall be deposited in the Treasury to the credit of the District of Columbia.

“(2) Any member coming under the provisions of this section who is separated from his department, except for retirement as authorized by this section, shall be refunded the amount of the deductions made

from his salary under this section. The receipt of payment of such deductions by such member shall void all annuity rights under this section, unless and until such member shall be reappointed to any department whose members come under this section. If such officer or member is subsequently reappointed to any department whose members come under this section, he shall be required to redeposit the amount of deductions so refunded to him.

"(3) In order to facilitate the settlement of the accounts of each member coming under the provisions of this section who dies prior to retirement leaving no survivor entitled to receive an annuity under the provisions of this section, the Commissioners shall pay all deductions for retirement made from the salary of such deceased member to the person or persons surviving at the time of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

"First, to the beneficiary or beneficiaries designated in writing by such member, filed with the Commissioners and received by them prior to the death of such member;

"Second, if there be no such beneficiary, to the child or children of such deceased member and the descendants of deceased children by representation;

"Third, if there be none of the above, to the parents of such member, or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

"MEDICAL AND HOSPITAL SERVICE

"(e) Whenever any member shall become temporarily disabled by injury received or disease contracted in the performance of duty, to such an extent as to require medical or surgical services, other than such as can be rendered by the Commissioners, or to require hospital treatment, the expense of such medical or surgical services, or hospital treatment, shall be paid by the District of Columbia; but no such expense shall be paid except upon a certificate of the Commissioners setting forth the necessity for such services or treatment and the nature of the injury or disease which rendered the same necessary.

"RETIREMENT FOR DISABILITY NOT INCURRED IN PERFORMANCE OF DUTY

"(f) Whenever any member coming under this section completes five years of police or fire service and is found by the Commissioners to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with his department, such member shall be retired on an annuity computed at the rate of 2 per centum of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 per centum of his basic salary at time of retirement: *Provided further*, That the annuity of a member retiring under this subsection shall be at least 40 per centum of his basic salary at time of retirement.

"RETIREMENT FOR DISABILITY INCURRED WHILE PERFORMING DUTY

"(g) Whenever any member is injured or contracts a disease in the performance of duty or such injury or disease is aggravated by such duty at any time after appointment and such injury or disease or aggravation permanently disables him for the performance of duty,

he shall upon retirement for such disability, receive an annuity computed at the rate of 2 per centum of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 per centum of his basic salary at the time of retirement, nor shall it be less than 66% per centum of his basic salary at the time of retirement.

"OPTIONAL RETIREMENT

"(h) (1) Any member who attains the age of fifty years and completes twenty years of police or fire service may, after giving at least sixty days' written advance notice to his department head stating his intention to retire and stating the date on which he will retire, voluntarily retire from the service and shall be entitled to an annuity computed at the rate of 2 per centum of his basic salary at the time of his retirement for each year of service; except that the rate of 3 per centum of his basic salary at time of retirement shall be used to compute each year's police or fire service in excess of twenty years: *Provided*, That such notice requirement may be waived by the department head when, in his opinion, circumstances justify such waiver: *Provided further*, That whenever the Commissioners or the Chief of the White House Police force, or the Chief of the United States Park Police force, or the Chief of the United States Secret Service division shall determine that there exists an emergency which is likely to endanger the safety of the public and that the public safety cannot be adequately protected except by suspending the retirement provisions of this paragraph (1), then the Commissioners or any of said Chiefs shall be authorized to suspend the retirement provisions of this paragraph (1) in any one or more of the departments under their respective jurisdictions until such time as, in the opinion of the Commissioners or any of said Chiefs, respectively, public safety can be adequately protected without such suspension.

"(2) Any member of the Metropolitan Police force or of the Fire Department of the District of Columbia having reached the age of sixty years shall, in the discretion of the Commissioners, and any member of the White House Police force or of the United States Park Police force or of the United States Secret Service Division to whom this section applies shall, in the discretion of the head of his department, be retired from the service and shall be entitled to receive an annuity as computed in subsection (h), paragraph (1).

"(3) No annuity granted under paragraph (1) or (2) of this subsection (h) shall exceed 70 per centum of the basic salary of such member at the time of retirement.

"INVOLUNTARY SEPARATION FROM SERVICE

"(i) If any member is injured or contracts a disease during his first five years of service in his department which, in the judgment of the Board of Police and Fire Surgeons, disables him from performing further duty in his department, and if the Police and Firemen's Retiring and Relief Board finds that such injury or disease was not incurred in the performance of duty in his department, such member shall, upon the approval of such finding by the head of his department, and without regard for the provisions of any other law or regulation, be separated from the service.

"RECOVERY FROM DISABILITY OR RESTORATION TO EARNING CAPACITY

"(j) (1) If any annuitant retired under subsection (f) or (g), before reaching the age of fifty-five, recovers from his disability or is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease (1) upon reemployment in the department from which he was retired, (2) one year from the date of the medical examination showing such recovery, or (3) one year from the date of determination that he is so restored, whichever is earliest. Earning capacity shall be deemed restored if in each of two succeeding calendar years the income of the annuitant from wages or self-employment or both shall be equal to at least 80 per centum of the current rate of compensation of the position occupied immediately prior to retirement. Nothing in this subsection shall preclude such member from having an annuity reestablished if his disability recurs, or when his earning capacity is less than 80 per centum of the rate of compensation of the position occupied immediately prior to retirement for any full year thereafter: *Provided*, That whenever any member is reinstated with his respective department it shall be at the same grade or rank held by the member at the time of his retirement.

"(2) When an annuitant recovers prior to age fifty-five from a disabling condition for which he has been retired, and applies for reinstatement in the department from which he was retired, he shall be reinstated in the same or nearest equivalent grade and salary available as that received at the time of his separation from the service: *Provided*, That such applicant meets the current entrance requirements of such department as to character.

"SURVIVOR ANNUITIES

"(k) (1) In case of the death of any member before retirement, or of any former member after retirement, leaving a widow or dependent widower, such widow or dependent widower shall be entitled to receive an annuity in the greater amount of (1) \$1,800, or (2) 30 per centum of such member's basic salary at the time of death, or 30 per centum of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed. Such annuity shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage. If such member or former member is survived by a wife or husband, each surviving child shall be entitled to receive an annuity equal to the smallest of (1) 40 per centum of such member's basic salary at the time of death, or 40 per centum of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) \$600; or (3) \$1,800 divided by the number of children. If such member or former member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 per centum of the member's basic salary at the time of death, or 50 per centum of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) \$720; or (3) \$2,160 divided by the number of children. The annuity of any child under this subsection shall begin

on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon (1) his attaining age 18, unless incapable of self-support, (2) his becoming capable of self-support after age 18, (3) his marriage, or (4) his death.

"(2) Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child had not survived the member or former member.

"(3) Any member retiring under subsection (f), (g), or (h) of this section, may, at the time of such retirement, elect to receive a reduced annuity in lieu of the full annuity, and designate in writing the person to receive an increased annuity after the retired annuitant's death: *Provided*, That the person so designated be the surviving spouse or child of the retiring member. Whenever such an election is made, the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced. The annuity payable to the member making such election shall be reduced by 10 per centum of the annuity computed as provided in subsection (f), (g), or (h). Such increase in annuity payable to the designee shall be reduced by 5 per centum for each full five years the designee is younger than the retiring member, but such total reduction shall not exceed 40 per centum. The increase in annuity payable to the designee pursuant to this paragraph (3) shall be paid in addition to the annuity provided for such designee pursuant to paragraph (1) or (2) of this subsection and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to such paragraphs (1) and (2).

"FUNERAL EXPENSES

"(1) The Commissioners are authorized to pay a sum not exceeding \$300 in any one case to defray the funeral expenses of any deceased member dying while in the service thereof.

"DUTIES OF COMMISSIONERS IN RETIREMENT AND ANNUITY MATTERS

"(m) The Commissioners shall consider all cases for the retirement of members and all applications for annuities under this section. In each case of retirement of a member the Commissioners shall certify in writing the physical condition of the member for whom retirement is sought. The Commissioners shall give written notice to any member under consideration by them for retirement to appear before them and to give evidence under oath. The proceedings before the Commissioners involving the retirement of any member, or any application for an annuity under this section, shall be reduced to writing and shall show the date of appointment of such member, his age, his record in the service, and any other information which may be pertinent to the matter of such retirement or annuity. The Commissioners are authorized to administer oaths and affirmations, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpoena or requirement under this subsection, the Commissioners may apply to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it in its

67 Stat. 108.

discretion may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11-756 (c), D. C. Code, 1951 edition).

"PAYMENT OF ANNUITIES

"(n) (1) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

"(2) Any person entitled to an annuity under this section may decline to accept all or any part of such annuity by a waiver signed and filed with the Commissioners. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.

"(3) In order to facilitate the settlement of the accounts of each person who, at the time of his death, was receiving or was entitled to receive, an annuity under this section, the Commissioners shall pay all unpaid annuity due such person at the time of death to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

"First, to the widow or widower of such person;

"Second, if there be no surviving spouse, to the child or children of such person, and descendants of deceased children, by representation;

"Third, if there be none of the above, to the parents of such person or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased person, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased person.

"DELEGATION OF FUNCTIONS

"(o) The Commissioners are hereby vested with full power and authority to delegate from time to time to their designated agent or agents any of the functions vested in them by this section.

"REGULATIONS

"(p) The Commissioners are authorized to promulgate such rules and regulations as they may deem necessary to carry out the purposes of this section.

"REORGANIZATION

D. C. Code 1-app.

"(q) Where any provision of this section refers to an office or agency abolished by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this section shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952.

"SHORT TITLE

"(r) This section may be cited as the 'Policemen and Firemen's Retirement and Disability Act'."

Short title.

NO REDUCTION IN PRESENT RELIEF

SEC. 4. Nothing in this Act shall be deemed to reduce the relief or retirement compensation to which any person is entitled on the effective date of this Act and the rights of such persons and their survivors shall continue in the same manner and to the same extent as if this Act had not been enacted.

REPEALS

SEC. 5. The following Acts and parts of Acts are hereby repealed:

(1) The paragraph under the heading "Police and Firemen's Fund" in the Act entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes", approved June 7, 1924 (43 Stat. 539);

43 Stat. 560.

(2) Section 5 of the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia", approved June 1, 1930 (46 Stat. 839);

D.C. Code 4-504.

(3) Section 7 of the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia", approved May 27, 1924 (43 Stat. 176);

D.C. Code 4-503,
511, 515, 516.

(4) The Act entitled "An Act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation", approved August 31, 1954 (68 Stat. 1044).

D.C. Code 4-520.

REIMBURSEMENT TO DISTRICT OF COLUMBIA

SEC. 6. There are hereby authorized to be appropriated from revenues of the United States such sums as are necessary to reimburse the District of Columbia, on a monthly basis, for benefit payments made from revenues of the District of Columbia to or for Federal employees and to or for the surviving children and spouse of such Federal employees under the provisions of the Policemen and Firemen's Retirement and Disability Act, to the extent that such benefit payments exceed the deductions from the salaries of Federal employees for credit to the revenues of the District of Columbia. For the purpose of this section, (a) the term "benefit payments" includes relief, retirement compensation, pensions, and annuities and medical, surgical, hospital, and funeral expenses, and (b) the term "Federal employees" means and includes such members of the United States Park Police force as are paid from funds of the United States, members of the White House Police force and such members of the United States Secret Service Division as have or may hereafter become entitled to benefits under the Policemen and Firemen's Retirement and Disability Act.

Appropriation.

ELIGIBILITY UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT

SEC. 7. Notwithstanding any other provision of law, no person entitled to receive any benefit under the Policemen and Firemen's Retirement and Disability Act on account of death incurred, an injury received, or disease contracted, or an injury or disease aggravated, in the performance of duty shall be entitled, because of the same death, injury, disease, or aggravation, to benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C. 751, and the following).

39 Stat. 742.

EFFECTIVE DATE

SEC. 8. The effective date of this Act shall be October 1, 1956.
Approved August 21, 1957.

Public Law 85-158

JOINT RESOLUTION

August 21, 1957
[H. J. Res. 275]

Transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives.

30 Stat. 1759.

Whereas the last paragraph of article VIII of the Treaty of Paris of 1898, between the Crown of Spain and the United States stated that "In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills, and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid"; and

Whereas a considerable number of documents which relate to Puerto Rico and its inhabitants are now housed in the National Archives; and

Whereas with the creation of the Commonwealth of Puerto Rico, it is fitting that such documents be now placed in the custody of the Government of the said Commonwealth: Now, therefore, be it

Puerto Rico.
Archives and
records.

30 Stat. 1759.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the official archives and records, executive and judicial, of the former Spanish authorities in Puerto Rico, now deposited with the National Archives of the United States, including those relating to rights and properties of the inhabitants of the Commonwealth of Puerto Rico, shall be transferred to the Commonwealth of Puerto Rico at its own expense: *Provided*, That the Commonwealth of Puerto Rico (1) agrees to accept and carry out the obligations of the last paragraph of article VIII of the Treaty of Paris aforesaid, and (2) makes provisions for the safekeeping, repair, and preservation of such archives and records in fireproof, air-conditioned storage space under professional archival direction: *Provided further*, That the Administrator of General Services shall determine that the conditions imposed by (1) and (2) above have been met prior to his release of such archives and records for transfer to the Commonwealth of Puerto Rico.

Approved August 21, 1957.